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Board of Health Minutes 09-10-2003

BOARD OF HEALTH MEETING MINUTES

Wednesday, September 10, 2003

3:30pm., Whittemore Robbins House

Board Members in Attendance: Dr. Carole Allen (Chair), Mr. Gregory Leonardos, Mr. Mark Fingerle

Staff in Attendance: Christine Connolly, (Director of Public Health), Denise Hunt Boucher (Health Compliance Officer), Joseph Carabello (Health Compliance Officer)

I. Minutes of July 9, 2003 meeting accepted as written

II. **HEARING:FOOD CODE VIOLATION:** Jaspal Pabla, Punjab Fine Indian Cuisine, 473 Massachusetts Avenue. Christine Connolly listed events that occurred on Sunday, August 4, 2003 at the abovementioned establishment. A fire occurred at the establishment on that date at approximately 11:00am. The fire damaged much of the kitchen, dishwashing areas and the bathrooms rendering the establishment unfit for food preparation. Ms. Connolly stated that after the fire she entered the restaurant and told Mr. Pabla and the insurance adjuster that due to the extent of the fire, all of the food would need to be discarded and the restaurant could not open until the damage could be repaired. Ms. Connolly explained that at that time, it was agreed that for insurance recording purposes, the Board of Health would witness the disposal of all of the food on the following day on Monday, August 5, 2003. At approximately 6:00pm on Sunday, August 4, 2003, Ms. Connolly stated that while driving by the establishment, she witnessed customers in the restaurant eating and staff working in the back of the restaurant by candlelight. At that time Ms. Connolly stated that Mr. Pabla entered the dining area and she ordered that he make the people leave and lock the doors. Mr. Pabla stated at the hearing, that on the day of the event, he had no idea that the restaurant was open and that his family and staff had opened up the restaurant. He stated that he had just arrived at the restaurant at the same time that Ms. Connolly had arrived. The Board voted unanimously to suspend for one full year from date that the restaurant will reopen, any temporary food establishment applications.

III. **FOOD CODE VIOLATION: Tiki In Restaurant.** Representatives from Tiki In that were present for the hearing were Raymond Wong and Kent Wajara. Denise Boucher presented information regarding repeat violations at Tiki In Restaurant. Ms. Boucher stated that on three consecutive visits to Tiki In within a two day period, large quantities of rice were found to be at room temperature in violation of the **1999 Federal Food Code Potentially Hazardous Food, Hot and Cold Holding** which states that potentially hazardous food shall be maintained at 140 degrees or above or at 41 degrees or below. Kent Wajara of Tiki In stated that as a restaurant owner for over 20 years he has never had a case of food poisoning and that he believes Ray Wong, did not completely understand what Denise meant when she told him about the violations. Ms. Boucher stated that Raymond did understand each of the three times when she explained the violations to him and that he continued to violate the order. The Board voted unanimously to require Raymond Wong to attend a Food Safety Certification Course within 90 days.

IV. **Update:** 13 Old Colony Lane Apartment #12: Christine Connolly updated the Board on the case that was before them at the last meeting regarding this property. At that time, the Board granted Mr. Wilfert ten days to complete the violations noted during the inspection

performed in May. Ms. Connolly stated that upon re-inspection of the unit after the tenth day, no work had been performed and Ms. Connolly stated that she filed a complaint with the assistance of Town Counsel John Maher against Mr. Wilfert in Cambridge District Court for failure to correct the housing code violations. Ms. Connolly stated that Cambridge District Court Clerk gave Mr. Wilfert three weeks to repair the violations. Upon re-inspection after the three week extension granted by the Clerk Magistrate, Mr. Wilfert had made the stove top and oven operable, although no building permits to perform the work had been pulled, and the dishwasher that had been entirely covered with mold had been cleaned by Mr. Wilfert, thus fulfilling his obligations to the minimum standard by the date of the last extension granted.

V. REGULATION UPDATE DISCUSSION: Denise Boucher presented information regarding updating the **Town of Arlington Board of Health Rules and Regulations Restricting Smoking and Distribution of Tobacco and Tobacco Products Within the Town of Arlington**. The amended regulations presented by Ms. Boucher reflected the new proposed enforcement policy. The amendments eliminated the training for vendors after the first sale to minors and required a seven day suspension of the sales permit and required the training of vendors annually to renew the tobacco permit. The Board voted to review draft amended regulations reflecting the comments mentioned at the meeting as well as inviting the Chamber of Commerce to review as well.

VI. Hearing: Fen Fang Shao: 131 Madison Avenue. Ms. Connolly presented information regarding this housing case. Ms. Connolly stated that she and Joe Carabello had inspected the property and documented housing code violations. A letter requesting an extension to complete the repairs was sent to the Board of Health office from Fen Fang Shao who currently resides in Florida and was unable to be present for her hearing. In her letter, Ms. Shao stated that the property was currently vacant and would not be rented until repairs would be made. The Board unanimously granted the extension.

Next meeting will be held on Wednesday October 8, 2003 2:00pm at the Whittemore Robbins House.

Source: Christine Connolly, Health Director